

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
GALVESTON DIVISION

OWL SHIPPING LLC	§	
Plaintiff	§	
	§	
VS.	§	C.A. NO. 3:14-cv-00270
	§	Admiralty - Rule 9(h)
DALIAN SUNTIME INTERNATIONAL	§	
TRANSPORTATION CO., LTD. A/K/A	§	
DALIAN SUNTIME INT'L	§	
TRANSPORTATION CO. LTD. A/K/A	§	
DALIAN SUNTIME INTERNATIONAL	§	
TRANSPORTATION COMPANY, LTD.	§	
A/K/A DALIAN SUNTIME	§	
INTERNATIONAL TRANSPORTATION	§	
COMPANY LIMITED	§	
Defendants	§	

**INTER MERCHANT MARINE CO. LTD.'S UNOPPOSED  
EMERGENCY MOTION TO VIEW BILLS OF LADING**

TO THE HONORABLE EWING WERLEIN, JR.:

COMES NOW Plaintiff in Intervention, Inter Merchant Marine Co. Ltd. ("IMMCL"), moving on an expedited basis to view the bills of lading interpleaded into the Court by Dalian Suntime Int'l Transportation Co. Limited ("Dalian"), and respectfully would show:

1. On October 10, 2014, Dalian filed its Interpleader Counterclaim (Dkt. No. 20) and interpleaded certain original bills of lading into this Court for cargoes being carried on the M/V INTER PRIDE, a vessel owned by IMMCL.<sup>1</sup>

2. This Court issued an Order on October 10, 2014, granting Dalian's request to interplead certain original bills of lading into Court. (Dkt. No. 21).

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<sup>1</sup> For a list of the bills of lading, see Docket Entry 20-1.

3. On October 16, 2014, Dalian filed a Supplemental Interpleader Counterclaim (Dkt. No. 22) seeking to interplead an additional bill of lading (DGIA1401IPTJ16) into this Court. This Court has yet to rule on this request.

4. Meanwhile, IMMCL is trying to make the arrangements necessary to bring the vessel into the port of Houston to discharge the Houston bound cargoes. Before IMMCL can do this, it must understand what original bills of lading exist for the cargoes at issue. At the owner's request, Dalian several months ago provided the owner with a copy of what it says were the original bills of lading its agent issued at its request for the Houston cargoes. Since this lawsuit was filed, IMMCL has been provided copies of certain bills of lading issued at Dalian's request by its agent in China that the cargo interests say are the original bills of lading that were issued to them by Dalian for their cargoes. In certain instances, the bills of lading Dalian provided to IMMCL and those provided to the cargo interests do not match. Some are completely different forms of bills, and some are clean on board bills instead of bills containing comments from the Mate's Receipt, as is required by the time charter party.

5. Due to these discrepancies, the undersigned counsel needs to view the original bills of lading that have been interpleaded into Court by Dalian, so that the undersigned can advise IMMCL what to do about the situation. This viewing needs to take place immediately because the owner is trying to make arrangements now to bring the ship into port as soon as the schedule at the port will permit her to come in.

6. This motion is unopposed.

WHEREFORE, PREMISES CONSIDERED, Plaintiff in Intervention Inter Merchant Marine Co. Ltd. respectfully requests that this Court grant its unopposed motion to view the original bills

of lading interpleaded into court as soon as a viewing can be scheduled, and for such other relief to which it may be entitled.

Respectfully submitted,

By: /s/ Richard L. Gorman

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OF COUNSEL:

RICHARD GORMAN LAW

**CERTIFICATE OF CONFERENCE**

I certify that I exchanged email with all counsel of record and this motion is unopposed.

/s/ Richard L. Gorman

Of Richard Gorman Law

**CERTIFICATE OF SERVICE**

I certify that on the 15th day of October, 2014, a true and correct copy of this filing served on all counsel of record by notice of electronic filing and email.

/s/ Richard L. Gorman

Of Richard Gorman Law

01842/Motion to View Bills of Lading.10-15-14